

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL ACTION  
: :  
v. : No. 10-489-2  
: :  
AARON SMITH : :

**ORDER**

AND NOW, this 3rd day of November, 2011, it is ORDERED Defendant Aaron Smith's Motion to Suppress Identification of Defendant (Document 35) is GRANTED in part and DENIED in part. The motion is GRANTED as unopposed insofar as the Government may not elicit an identification of Smith from Valynn Barfield or Leonard Lowe at trial. The motion is DENIED insofar as identification testimony from Tyrone Jenkins is not suppressed.

BY THE COURT:

/s/ Juan R. Sánchez  
Juan R. Sánchez, J.